

**CHESTERFIELD COUNTY COUNCIL  
REGULAR MEETING  
COUNTY MEETING ROOM  
December 7, 2016 .....9:00 A.M.**

**PRESENT:** Chairman Al Johnson, Vice-Chair Lenora V. Powe, Council Members: J. Matthew Rivers, Mary Anderson, Douglas A. Curtis, Bruce E. Rivers, Gerald L. Miller, Robert G. Cole, and G. Franklin Plyler.

**OTHERS PRESENT:** Denise R. Douglass – Administrator, Tim Eubanks – Assistant Administrator/Public Works Director, Betty M. Boswell – Clerk to Council, Michelle Stanley – Finance Director, Lisa Gainey – Human Resource Director, Chad Arant – GIS Coordinator, Kevin Thurman – Voter Registration and Elections Director, Faye Sellers – Clerk of Court, C. Heath Ruffner – County Attorney, Rhett Butler, Ben Teal, Hattie Burns, Wilbert Burns, Ted Deese, David Deese, Margaret Plettinger-Mitchell – Chesterfield County Coordinating Council, and Robert Monnie – The Link. There were others attending the meeting who did not sign the sign-in-sheet.

**PRESS:** Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 178 Mill Street, Chesterfield, SC, and the County Website ([www.chesterfieldcountysc.com](http://www.chesterfieldcountysc.com)). In addition it was made available to the newspapers and concerned citizens (*upon request*). Members of the press present: Robert Monnie – The Link.

**CALL TO ORDER AND PRAYER**

Chairman Johnson welcomed everyone. Recognized the four Council members elect that were present: Hattie Burns, Rhett Butler, Ben Teal and Ralph Watson. Stated he would like to let them know Council appreciates them and looks forward to working with them. Council Member Bruce E. Rivers opened the meeting with prayer.

**ADOPTION OF AGENDA**

Council Member Bruce E. Rivers made a motion to adopt the agenda, with amendment to add as Item 12e “South Carolina Department of Commerce Grant,” due to exigent circumstances, such exigent circumstances being a that a letter accepting the grant must be submitted no later than December 12, 2016, prior to the next regular Council meeting. Council Member Anderson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**APPROVAL OF MINUTES**

**a. November 2, 2016 – Regular Meeting**

Council Member Plyler made a motion to approve the November 2, 2016 Regular Meeting Minutes. Council Member Cole seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

## **SIGNING OF BONDS, PAYROLL, AND AUTHORIZATIONS**

None

## **APPOINTMENTS**

### **a. Dr. Walter B. Collins, III – Dean, USC Lancaster**

Dr. Collins appeared before Council to provide an update on overall enrollment and current number of students. He advised that USC Lancaster reached a record enrollment this fall with 1845 students and 45 of these students are from Chesterfield County. He advised that seven new degrees will be added to the Palmetto College Growth for this year, bringing the total to 14. Advised that Lancers Café has opened on campus to offer students a dining option to stay on campus. He also advised that USC Lancaster has added a costume mascot “Lance” and that he would be available for parades and other events. Thanked Council for their time.

### **b. McAbee, Schwartz, Halliday & Co. – Audit Report**

Stephanie Coln with McAbee, Schwartz, Halliday & Company presented Council with the Chesterfield County Independent Audit of fiscal year 2015-2016. Chesterfield County once again received a clean audit with no recommendations to management. A copy of the Independent Auditor’s Report was presented to Council prior to the meeting.

### **c. Kevin Thurman, Voter Registration and Elections Director – Additional Temporary Part-Time Employee (for McBee and Cheraw municipal elections)**

Appeared before Council to request an additional temporary part-time employee through February 2017. The temporary employee is needed to help with the McBee and Cheraw municipal elections.

Council Member Plyler made a motion to approve an additional temporary part-time employee through February 2017. Vice-Chair Powe seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

### **d. Margaret Plettinger Mitchell – Director, Chesterfield County Coordinating Council**

Appeared before Council regarding the appointment of a Council Member to the Chesterfield County Coordinating Council to replace retiring Vice Chair Powe, and to approve the execution of the Involvement Agreement. Chairman Johnson advised that this matter will be placed on the January agenda for the appointment.

## **PUBLIC COMMENTS**

**Ted Deese:** Appeared before Council to inquire about a personnel matter, and was advised that the Administrator would contact him.

## **PUBLIC HEARINGS**

### **a. Project Toy FILOT Ordinance – Public Hearing**

Council Member Plyler made a motion to open public hearing. Council Member Cole seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

There were no oral comments from the public made nor were any written comments received.

Vice-Chair Powe made a motion to close public hearing. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**b. Master MCP Agreement Ordinance (Project Toy) – Public Hearing**

Council Member Plyler made a motion to open public hearing. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

There were no oral comments from the public made nor were any written comments received.

Vice-Chair Powe made a motion to close public hearing. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**ORDINANCE READINGS AND RESOLUTIONS**

**a. Project Toy FILOT Ordinance – 3<sup>rd</sup> Reading**

Council Member Plyler made a motion to pass 3<sup>rd</sup> Reading. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**b. Master MCP Agreement Ordinance (Project Toy) – 3<sup>rd</sup> Reading**

Council Member Plyler made a motion to pass 3<sup>rd</sup> Reading. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**c. FILOT Conversion Ordinance (Talley Meatals) – 2<sup>nd</sup> Reading**

Vice-Chair Powe made a motion to pass 2<sup>nd</sup> Reading. Council Member Anderson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**d. Master MCP Agreement Amendment Ordinance (Talley Metals – 1<sup>st</sup> Reading, *by title only*)**

Council Member Plyler made a motion to pass 1<sup>st</sup> Reading, *by title only*. Council Member Anderson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**e. Master MCP Agreement Ordinance (Project Leaf) – 2<sup>nd</sup> Reading**

Council Member Cole made a motion to pass 2<sup>nd</sup> Reading. Council Member Plyler seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**f. Master MCP Agreement Amendment Lancaster County (LTRR Realty, LLC) – Resolution**

Council Member Miller made a motion to adopt the Master MCP Agreement Amendment Resolution. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**g. Master MCP Agreement Amendment Lancaster County (Central Wire) – Resolution**

Council Member Miller made a motion to adopt the Master MCP Agreement Amendment Resolution. Council Member Bruce E. Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**h. Codes Enforcement Agreement – Town of Pageland – Resolution**

Council Member Bruce E. Rivers made a motion to adopt the Resolution. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**i. No Thru Trucks Sign – Resolution**

There was discussion regarding this Resolution and the underlying Ordinance authorizing the Resolution.

Vice-Chair Powe made a motion to adopt the No Thru Trucks Sign Resolution (Dewitt Lowery Road, White Plains Church Road and Lake Terry Road). Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**STANDING COMMITTEE REPORTS**

None

**ITEMS SUBMITTED BY COUNCIL**

**a. Judicial Center Project Update (Phased Plan) – Chairman Johnson**

Chairman Johnson presented the Proposed Judicial Center Project Phased Plan, a copy of which was included in the Council Members' meeting packet and is attached hereto and incorporated into these minutes. It was noted that both resident Circuit Judges had sent letters in support of the Phased Plan. There was discussion regarding the Phased Plan.

Council Member Matt Rivers made a motion to approve this plan as stated, provided, there is put in place any materials in particular that they would be, as we go along, that the Courthouse Committee will be involved along with the Building Committee, and specifically as to the renovation of the various rooms in the Courthouse, that they would be in consult with the person or persons over that particular office. Council Member Plyler second the motion. Voting in favor of the motion was unanimous. Motion passed.

**b. Chesterfield Fire District Millage – Council Member Curtis**

There was discussion regarding this matter, particularly changing from fee based to millage based funding.

**ITEMS SUBMITTED BY STAFF**

**a. Setting Meeting Dates/Time – Douglass**

The following dates and times were set for the 2017 Regular Council Meetings: January 4, February 1, March 1, April 5, May 3, June 7, July 12, August 9, September 6, October 4, November 1 and December 6. All meetings begin at 9:00 a.m.

Council Member Bruce E. Rivers made a motion to approve the above 2017 Council Meeting dates. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**b. Setting Holiday Schedule – Douglass**

The following Holidays were set for 2017: January 2 – New Year’s Day Observance; February 20 – President’s Day; April 14 – Good Friday; May 29 – Memorial Day; July 4 – Independence Day; September 4 – Labor Day; November 10 – Veteran’s Day Observance; November 23 & 24 – Thanksgiving and December 22, 25 & 26 Christmas.

Vice-Chair Powe made a motion to approve the above 2017 Holiday Schedule. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**c. NESA Grant – Douglass**

The Economic Development Director requested a letter approving disbursement of the \$25,000 necessary for this 100% matching grant from the North Eastern Strategic Alliance (NESA). This is an annual grant from NESA. There was some discussion regarding the purpose of the grant and the time constraints on the use of the grant.

Council Bruce E. Rivers made a motion to submit a letter approving disbursement of the funds necessary to complete the grant application. Council Member Anderson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**d. Surplus Property Declaration - Douglass**

Public Works requested that Council declare a 2009 Mack Rolloff, VIN#1M2AX04CXAM008567, mileage 148,668, as surplus so that it may be removed from inventory and sold pursuant to the County Procurement Policy.

Council Member Miller made a motion to declare the 2009 Mack Rolloff, VIN#1M2AX04CXAM008567, mileage 148,668 as surplus to be sold pursuant to the County Procurement Policy. Council Member Anderson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**e. SCDOC Site Enhancement Initiative Grant**

The Economic Development Director advised Council that the County had applied for and received a \$300,000 grant which will be used to assist the County in the acquisition of 127.25 acres known as the Belk Property. Advised that a letter from the County to the Department of Commerce agreeing upon the terms of the grant was due no later than December 12, 2016.

Council Member Bruce E. Rivers made a motion to authorize submission of a letter to the Department of Commerce agreeing to the terms of the grant. Council Member Anderson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

### **a. GIS Proposal – Douglass**

Chad Arant, GIS/E-911 Coordinator appeared before Council and advised Council that this Agreement would permit the aerial maps and related information from the Assessor's Office to be available online. This represents a major technological step forward for Chesterfield County. Administrator Douglass advised that there would be an \$8,000 set up fee and a \$3,600 annual fee. These amounts were included in the Assessor's budget.

Council Member Bruce E. Rivers made a motion to authorize execution of the GIS Proposal. Council Member Anderson seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

## **ADMINISTRATOR'S REPORT**

Reminded Council of the Christmas luncheon for Thursday, December 15, 2016. The luncheon will be held in the Break Room at the Administration Building. Also reminded Council of Courthouse Drop-In for Wednesday, December 21 from 10:00 am to 4:00 pm. Announced that Tonya had a baby boy and would be out of the office until January.

## **SPECIAL RECOGNITION**

Chairman Al Johnson recognized the following by presenting them with a plaque and thanked each of them for their hard work.

Faye L. Sellers, Clerk of Court  
Robert G. Cole, Council Member  
J. Matthew Rivers, Council Member  
Lenora V. Powe, Council Member  
G. Franklin Plyler, Council Member

## **COUNCIL MEMBERS' COMMENTS**

**Council Member Plyler:** Thanked everyone that helped him get on Council and for their support.

**Council Member Cole:** I would like to thank the County for all that they have allowed me to do for them. I appreciate having been on Council. We have accomplished quite a bit. I have enjoyed every moment of it.

**Vice-Chair Powe:** I'd like to thank everybody for supporting me all these years and projects that I said I wanted to do, I've got most of them accomplished. The only thing I have not done that was on my list is Highway 9 but I promise you I will stay on top of that.

**Council Member Matt Rivers:** I echo their comments.

**Council Member Curtis:** I appreciate all of you. It's been a pleasure and an honor. Has it been fun, at times no, but we've got the work done.

**Council Member Bruce E. Rivers:** I appreciate the opportunity to serve with you distinguished people. It's been a pleasure. We've hit some bumps in the road but we have accomplished quite a bit with your expertise and your help. I want to thank you for all you've done for Chesterfield County and in the future if I can assist you all you got to do is call on me.

**Council Member Miller:** I've enjoyed working with each council member that's leaving and ask for them to come back and visit sometime. I know they just waiting for an invitation to come back, so I'm giving it now.

**Chairman Johnson:** They got an invitation but I'm not sure they want to come back.

**Council Member Curtis:** One more thing and I want to address this to the new Council members. Folks I admire you for putting your faces and names out there and your willingness to work. Next month you will be sworn in, shortly after that you will be sworn out. It's a matter of working together trying to come to some cohesiveness. I'm looking forward to the so called honeymoon period to get to know yall and yall knowing us but in my opinion, this job is no more than business and if you will approach it from that standpoint, I think this county will move forward and get along just fine. Common sense, that's all it takes, common sense. Speak your mind and stand your ground when you need to and I love the job, I hate the politics but now yall signed up for it so your sentence starts next month for four years.

**Chairman Johnson:** And Curtis has got yall a hot bed to step in to start with.

**Chairman Johnson:** I'll just say it one more time. It's been a pleasure working with yall four on this Council and Ms. Faye Sellers, it's been a pleasure working with Ms. Faye Sellers. Ms. Faye has always worked with this Council. Just anything that we want, Ms. Faye has always went along with it and I appreciate that.

### **EXECUTIVE SESSION**

Chairman announced that, pursuant to S.C. Code § 30-4-70(a)(2), Council needed to enter into executive session:

- a. For the discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim, regarding the following two matters:

- i. Truss Link, Inc. and the Animal Services Building; and

- ii. Purchase of property for the proposed relocation of the Economic Development Office.

Council Member Curtis made a motion to enter Executive Session for the above stated purposes. Council Member Miller seconded the motion. Voting in favor of the motion was unanimous. Council entered into Executive Session to discuss the two matters above referenced.

Council Member Plyler made a motion to exit Executive Session. Council Member Cole seconded the motion. Voting in favor of the motion was unanimous.

**REGULAR SESSION**

Chairman Johnson reported Council is back in regular session. No action was taken and no motions were made in Executive Session.

There was brief discussion about possible issues with the ambulance service and the Administrator indicated that a meeting with the provider was being scheduled to address these issues.


**Purchase of property for the proposed relocation of the Economic Development Office**

Pursuant to discussion of this matter in Executive Session, Vice-Chair Powe made a motion to authorize an option to purchase with Chesterfield Development LLC for a period of six months, for consideration of \$4,000 for a property being the Northwestern corner of Tax Map #171-4-7-1 at a purchase price of at a purchase price of \$68,000, and that funding for the option consideration and purchase, if the option was exercised, would be from the Multi-County Park funds designated for economic development. Council Member Curtis seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**ADJOURN**

Council Member Anderson made a motion to adjourn. Council Member Matt Rivers seconded the motion. Voting in favor of the motion was unanimous. Motion passed.

**APPROVED:**

  
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Al Johnson, Chairman  
Date: January 4, 2017

**ATTEST:**

  
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Betty M. Boswell, Clerk to Council

## JUDICIAL CENTER PROJECT: PHASED PLAN

Based on meetings between staff, including Codes Enforcement and Building and Maintenance, and the project engineer, and a conference call with the architect, following is a description of a "phased plan" to complete the Judicial Center Project.

### Purpose:

To divide the construction and renovation work necessary to complete the previously approved conversion of the existing Courthouse into a Judicial Center into two phases, with each phase comprised of separate items which may be bid upon together or separately. Additionally, a significant portion of the work will be completed in-house by County Building and Maintenance personnel. By reducing the scope of work in each phase, and items within each phase, it is believed that more contractors, including local contractors, will be attracted to bid resulting in an overall cost savings and support of the local economy.

### Phase 1\*

#### Windows\*\*

Front – Main Entrance

Judges secured parking, stairs/entrance

Duct work – main trunk (HVAC)

#### Remodeling Offices:

- Break Room
- Clerk of Court
- Department of Juvenile Justice
- Family Court Administration
- Family Court Judge
- Law Library/Conference Room
- Probate Court
- Probation and Parole
- Public Defender/Solicitor
- Resident Judge

### Phase 2

Courtroom

Sally Port

\* The engineer and architect were unable to state definitively whether or not a fire sprinkler system will be required and, even if not required, whether it will be more cost effective not to include the fire sprinkler system. If the fire sprinkler system is required, the County will let bids directly for that work pursuant to the County Procurement Policy. Additionally, the County will handle issuance of bid requests for the main trunk line of the duct work, and any other items that arise during the office remodeling process.

\*\* Once windows are replaced, County personnel will begin the remodeling of the ten office spaces. In the meantime, even before replacement of the windows, County personnel will immediately begin the demolition work necessary in each office. Staff estimates the cost per office at \$50,000. Any expenditure beyond \$50,000 for any single office shall require prior approval by County Council.